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SUBJECT: FRANCE AND LEBANON: UPDATE ON CHAPTER VII

Classified By: Political Minister-Counselor Josiah Rosenblatt, reasons
1.4 (b) and (d).

¶1. (C) NEA Watcher met May 11 with Damien Loras, FM Douste-Blazy's cabinet advisor for the Middle East, to discuss French thinking on the content and timing of a Chapter VII resolution to establish the Special Tribunal for Lebanon. On content, Loras noted that the French disagreed with essentially all of the changes Washington had proposed to France's draft UNSCR. He reiterated the by now familiar argument that a minimalist resolution would garner general support within the UNSC, whereas a more ambitious resolution would likely fail. He conceded that the differing drafts reflect a conceptual difference: the U.S., he said, is approaching the resolution in terms of the Lebanese political process having failed, so the international community must now take the Tribunal out of Lebanon's hands.

¶2. (C) In contrast, the French approach is to pass a resolution that merely ratifies the tribunal statutes, thereby substituting UNSC action for that of Lebanon's parliament. In the French approach, it would still be up to the Lebanese to work out the modalities of funding, the venue for the tribunal's headquarters, the recruitment of judges, etc., even though the French recognize that deferring such issues may give the opposition an opportunity to create further blockages down the road. The beauty of the French plan, according to Loras, is that once the Tribunal statute is ratified, Lebanon's political factions can turn their attention to working out an agreement on other issues (such as the presidential election and cabinet restructuring) which, if successfully resolved, might facilitate an eventual deal on the Tribunal modalities. In a worst case scenario, the UNSC could always intervene once again.

¶3. (C) Assuming that Paris and Washington agree on a text in the next few days, Loras predicted that the French would seek to introduce a resolution sometime between SYG Ban Ki-Moon's lunch with UNSC PermReps on Tuesday, May 15, and the end of the month. However, he added that: "Now that we know that Sarkozy is going to follow Chirac's policy, there is no need to hurry."

¶4. (C) In a follow-up conversation between PolM/C and IO A/S-equivalent Sylvie Berman, Berman said that the French will be ready to move in the Council once a) there is P-3 agreement on the resolution text; b) Siniora's second letter is received; c) the SYG briefs PermReps (at the May 15 lunch). She explicitly confirmed that once past those three steps, there would be no reason for further delay. Thus, if everything fell into place, we could move next week following the SYG's briefing.

¶5. (C) Interestingly, Berman initially insisted that

Siniora's second letter should not be sent until there was P-3 agreement on the text, as his letter should reflect that agreement. She called back five minutes later to say that the Elysee had ruled otherwise: the letter from Siniora must be sent this weekend (even without P-3 agreement) in order to help the Secretary in her call to Russian FM Lavrov.

(Comment: We suspect that the Quai's initial insistence on incorporating elements of an agreed text into Siniora's letter was intended to ensure that Siniora did not ask for more from the UNSC than was included in the French draft resolution. End comment.)

¶6. (C) Berman stated that instructions are going out tonight to New York (telling the French mission to work with us and the UK to achieve agreement on the text) and to Beirut (to facilitate the dispatch of Siniora's letter this weekend).

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